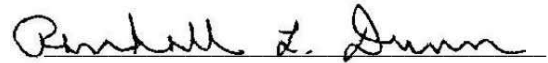


Below is an Order of the Court.



RANDALL L. DUNN
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re
Teddy Roberts
Dixie O. Roberts

) Case No. **10-30955-rld13**

)

) ORDER, DRAFTED ON: **06/29/10**,

) RE: RELIEF FROM (Check ALL that apply):

) ☒ DEBTOR STAY ☐ CODEBTOR STAY

) CREDITOR: **U.S. Bank, N.A.***

Debtor(s)

) CODEBTOR:

The undersigned, **Jennifer Aspaas**, whose address is **Routh Crabtree Olsen, P.S.**
3535 Factoria Blvd SE Suite 200, Bellevue, WA 98006, Email address is **jaspaas@rcolegal.com**,
Phone No. is **425-586-1927**, and any OSB # is **032357**, presents this Order based upon:

☒ The completed Stipulation of the parties located at the end of this document.

☐ The oral stipulation of the parties at the hearing held on _____.

☐ The ruling of the court at the hearing held on _____.

☐ Creditor certifies any default notice required by pt. 5 of the Order re: Relief from Stay entered on _____ was served, and that debtor has failed to comply with the conditions of that order.

☐ Creditor certifies that no response was filed within the response period plus 3 days to the Motion for Relief from Stay that was filed on _____ and served on _____.

IT IS ORDERED that, except as provided in pt. 4 below, the stay existing pursuant to 11 USC §362(a) shall remain in effect as to the property described below (hereinafter "the property"):

☐ Personal property described as (e.g., 2001 Ford Taurus):

☒ Real property located at (i.e., street address):

10475 SW 155th Avenue
Beaverton, OR 97007

☐ [Optional UNLESS In Rem Relief Granted] Exhibit A attached hereto is the legal description of the property.

IT IS FURTHER ORDERED that the stay is subject to the conditions marked below.

☒ 1. **Regular Payment Requirements.**

- ☒ a. Debtor(s) shall deliver regular monthly payments in the amount of \$ 2,589.09 commencing 07/01/10 to Creditor at the following address:

U.S. Bank, N.A., c/o National Default Servicing Corporation, 2525 E. Camelback Road, Suite 200, Phoenix, AZ 85016
 (Payment amount and payment address are subject to change)

- ☐ b. The Chapter 13 trustee shall immediately pay and disburse to Creditor the amount of \$_____ per month from funds paid to the trustee by Debtor(s), and continue each month until the plan is confirmed, at which time the plan payment terms shall control. Payments made by the trustee under this order shall be deemed to be payments under the plan for purposes of the trustee's collection of percentage fees.
- ☐ c. Debtor(s) shall pay to the trustee any and all payments required to be paid under the terms of the Chapter 13 plan.

☒ 2. **Cure Payment Requirements.** Debtor(s) shall cure the post-petition default of \$ 10,848.00 consisting of **Monthly payments of \$2,589.09 due for March 2010 through June 2010, late charges of \$416.64, and property inspection fees of \$75.00.**

(e.g., \$_____ in payments and \$_____ in late charges for April - June, 2002), as follows:

- ☒ a. In equal monthly installments of \$ 1,808.00 each, commencing 07/15/10 and continuing thereafter through and including 12/15/10.
- ☐ b. By paying the sum of \$_____ on or before _____, and the sum of \$_____ on or before _____.
- ☐ c. Other (describe):

☐ 3. **Insurance Requirement(s).** Debtor shall maintain insurance on the property at all times as required by the security agreement, naming _____ as the loss payee.

On or before _____ Debtor(s) shall provide counsel for Creditor with proof of insurance.

☒ 4. **Stay Relief and Codebtor Stay Relief without Cure Opportunity.**

- ☐ a. Upon default in the conditions in pt(s). _____ Creditor may file and serve a certificate of non-compliance specifying the default, together with a proposed order terminating the stay to allow Creditor to foreclose on, and obtain possession of, the property, which the Court may grant without further notice or hearing.
- ☐ b. The stay is terminated to allow Creditor to foreclose on, and obtain possession of, the property provided that a foreclosure sale shall not occur prior to _____.
- ☐ c. Creditor is granted relief from stay effective _____ to foreclose on, and obtain possession of, the property.
- ☐ d. Creditor is granted relief from stay to foreclose on, and obtain possession of, the property.
- ☒ e. If a Creditor with a senior lien on the property is granted relief from stay, Creditor may file and serve a certificate identifying the senior lien holder and a proposed order terminating the stay, which the Court may grant without further notice or hearing.
- ☐ f. Creditor is granted relief from stay to _____.
- ☐ g. Creditor is granted "in rem" relief from stay with respect to the real property described above and in Exhibit A. This order shall be binding in any other case filed under 11 USC purporting to affect such real property filed not later than two (2) years after the date of the entry of this order unless the bankruptcy court in the subsequent case grants relief from this order. Any governmental unit that accepts notices of interests or liens in real property shall accept a certified copy of this order for indexing and recording.

☐ h. Creditor is granted relief from the codebtor stay, as it applies to the codebtor(s) named in the caption above, to enforce the terms of the contract and collect the deficiency balance.

☒ 5. **Stay Relief with Cure Opportunity.** Upon default in the checked condition(s) in pt(s). 1 - 3, Creditor shall serve written notice of default on ☒ Debtor(s) and ☒ Attorney for Debtor(s) that gives Debtor(s) 15 calendar days after the mailing of the notice to cure the default. If Debtor(s) fails to cure the default in accordance with this paragraph, then Creditor shall be entitled to submit a proposed order terminating the stay, which the Court may grant without further notice or hearing.

☒ a. The notice of default may require that Debtor(s) make any payment(s) that becomes due between the date the notice of default is mailed and before the cure deadline.

☒ b. The notice of default may require Debtor(s) to pay \$ 100.00 for the fees and costs of sending the notice.

☒ c. Only 2 notices of default and opportunity to cure are required per ☒ year (calculated from date of entry of this order), ☐ during the remainder of this case, or ☐ (describe):

Debtor(s) shall cure any notice of default under pt. 5 with cashiers check(s) or certified funds.

☒ 6. **Amended Proof of Claim.** Creditor shall file an amended proof of claim to recover all accrued post-petition attorney fees and costs and (describe):

Attorney fees and costs of \$700.00.

☒ 7. **Miscellaneous Provisions.**

☒ a. If Creditor is granted relief from stay, the 14-day stay provided by Fed. Rule Bankr. Proc. 4001(a) shall be waived.

☒ b. Any notice that Creditor's counsel shall give to Debtor(s)/Codebtor, or attorney for Debtor(s)/Codebtor, pursuant to this order shall not be construed as a communication under the Fair Debt Collection Practices Act, 15 USC §1692.

☐ 8. A final hearing on Creditor's motion for relief from stay shall be held on _____ at _____ in _____.

☒ 9. Other:

***U.S. Bank, N.A., its successors in interest, agents, assignees and/or assignors**

PRESENTED, AND CERTIFIED, BY:

###

/s/ James K. Miersma OSB # 021623

IT IS SO STIPULATED:

Creditor's Attorney:

/s/ James K. Miersma OSB # 021623 for

Name: Jennifer Aspaas

OSB#: 032357

NO OBJECTION TO ORDER BY CASE TRUSTEE:

By: /s/ M. Jack Fisher

Debtor(s)'s Attorney:

/s/ Ted A. Troutman

Name: Ted A. Troutman

OSB#: 844470

Codebtor's Attorney:

Name: _____

OSB#: _____

Case 10-30955-rld13 Doc 51 Filed 07/11/10
CERTIFICATE OF NOTICE

District/off: 0979-3
Case: 10-30955

User: rick
Form ID: pdf018

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 09, 2010

The following entities were noticed by first class mail on Jul 11, 2010.
db/jdb +Teddy Roberts, Dixie O. Roberts, 10475 SW 155th Ave., Beaverton, OR 97007-8178

The following entities were noticed by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

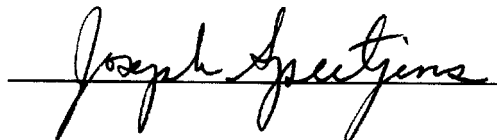
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 11, 2010

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.